

REMARKS**I. Introduction**

In response to the pending rejection, for the reasons set forth below, Applicant respectfully submits that the cited prior art reference is not valid prior art to the instant application. Thus, the pending rejection must be withdrawn.

II. The Rejection Of The Claims Under 35 U.S.C. § 102 and § 103

Claims 1, 4-8, 11-15 and 18-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by USP Pub. No. 2003/0064298 to Broeke, and claims 7, 8-14 and 21 were rejected under 35 U.S.C. § 103 in view of Broeke. Applicant respectfully submits that Broeke is not prior art to the instant application.

The instant application claims priority to provisional application no. 60/271,880, which was filed on February 27, 2001. This provisional application clearly provides support for the subject matter set forth in the rejected claims. A copy of the provisional application is provided for the Examiner's convenience.

Broeke claims priority to provisional application no. 60/325,211, which was filed on September 28, 2001.

Thus, the effective filing date of the instant application is earlier than the filing date of the Broeke. As such, Broeke does not constitute valid prior art to the instant application. Accordingly, Applicant respectfully submits that the pending rejection must be withdrawn.

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

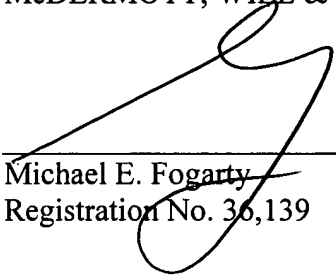
If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 5/3/04

By: 
Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: 202-756-8000
Facsimile: 202-756-8087